P 73-99

G. R. S. IX-5]

Previous references

(1897-98)
~~191~~ .
(Land Rev.)

File No. 64-97

Serial Nos. 1-8

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-8

in ~~Part~~ B for July 1899.

SUBJECT.

Appeal of Dodia Amriga & others re. the transfer of certain lands in Refinery of ~~Land in Dist of~~ Udi Nirayana Kelle and Hampasantra Gindiwadi Sub-Taluk.

W

Indexed.
10V

W D 1250—GPB—30,000 28-1-19

Pet.ⁿ 2 nos 6890 1677

The sub Dr officer's order has not been produced as not having been returned by the Collector

Sub Dr/ Comalla

MM 6/1/98

Rd 7 Pm.
6.1.98.

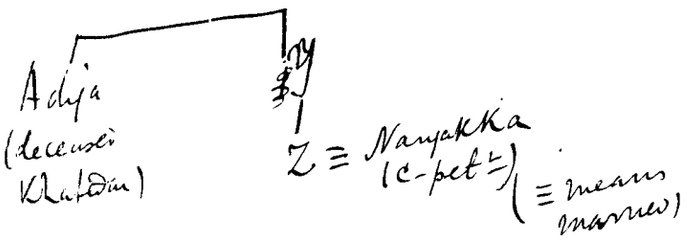
Let him obtain & produce

MM 18/1/98

Sent 14 18/1/98

Ende put up
MM
19/1/98

The petr has produced the sub Dr officer's order that however does not throw much light on the claims of the petr The relationship of C-petr & the deceased Khatedar is shown thus.



If the pet ⁼ is the nearer
heir, he can establish it
in a civil Court. There is
nothing prima facie to
show that the DJ comm ⁿ's
order is wrong.

~~There is~~ It would be
interesting to know if
the procedure in para 2
of Rule XXV of
the LR has followed
in this case, as this
provides for all contingencies.
A report with record may
be called for.

Sd 24/7/98

Before the Government of Mysore.

Appeal No. 11 of 1898-99.

Appellant.	Vs.	Respondent.
Kaulava Dodda Adiga		Kenjaitha.

Subject:- Dispute regarding the transfer of Registry of S. Nos 15 and 85 of Adinarayanahalli and Kanya Sandra, Gudibanda Sub-Taluk.

Posted for hearing on 3rd July 1899.

Subd to 1st Counsellor

8.6.99

who is the respondent in this appl a Ryot?

8/6/99

Re-Issue as to the 1st Respondent

Re. Fee 56 1/7/99

Re-Issue as to the 1st Respondent

Re-Issue as to the 1st Respondent

B 4-7-99

Before the Government of Mysore.

Appeal No. 11 of 1898-99

Appellant.	Vs.	Respondent.
Kanchan Doddi Adiga		Nanjaiah

Notice served
3.7.99.

Parties absent.
Respt applies for adjt.
adjd upto 5th.
4/7/99

3/7/99

Parties absent

appeal dismissed
4/7/99

R 64-97/1

189

No. 689

Name of Petitioner Gopala Adiga

Village Gundlahalli

Taluk Gubbi Sub Taluk

District Kolar

Date of Arzi 1-9-97.

Date of Receipt 6-9-97

Date of Disposal

No. of Enclosure one

A

Appeal against the order of the Deputy Commissioner dated 30-4-97, in Rev. Appeal No. of 1896-97, confirming the order of the Sub-Divisional Officer directing mutation of name in lands in the villages of Hanfe Sandra and Gudibanda Halli in the Gubbi Sub-Div, to be made only in the name of Nanjakka (respondent).

The order appealed against is in my opinion that the respondent is a nearer heir to the deceased pattadar than the appellant and grounds of appeal

The finding of the Deputy Commissioner that the Respondent-Nanjakka is a heir of the 1st Plaintiff is

Provide the Sub-Divisional Officer with a copy of the petition & Appeal

The delay of 5 months in filing the appeal

M 13/9/97

Endt in petn

M.H.

14/9/97

P.

15/9/97

Delay explained as due to delay in applying for copy. This copy, in granting copy. The copy was delivered to petr the date on which the other 2 dates usually given (Date of application for copy being ready)

3) appeal against Dy Comr's order confirming the Sub-Divisional Officer's order, rejecting petr's claims to be registered as the Khatedar in succession to deceased Khatedar, as nearer heir

is in error is dealt with the
depositions of late Ramakka
and the Patel.

2) The statement of the Dy Collr
that it is unnecessary to
discuss the claims of the
deceased Ramakka is against
law.

3) That the grounds mentioned
in para 4 of his appeal petn to
the Dy Collr and those in paras columns
2, 7 and 8 were not given
due consideration.

4) That the memo is lacuna
of the respondent Nanjakka's
and the witnesses' depositions
were not taken into due
consideration.

5) That the order of the Dy Collr
is not in accordance with
Rule 2 of Section 38 of the Land
Rev. Rules.

6) That the genealogical
tree presented by Nanjakka
is not correct.

(7) That the Shanbhog Subbanna
with the intention of appropri-
ating the lands in dispute,
instigated the said Nanjakka
to come forward as claimant
of Ramakka and did the
need full and has got Nanjakka
a Sale deed executed by Nanjakka
in favour of his relative Subbanna;
and hence by self interested
motives had a false genealogical
tree

the respondent and showing Vanjakka as a near heir than the petr and produced several witnesses to prove the same - that the court must consider the propriety of the claim brought forward by Vanjakka who has had no enjoyment of the right and who has been living separately for a long time

(8) that the petr has got another claim to the deceased Adiga than the respondent according to rules one who has already ceased to live jointly with the family and separated herself has no right whatever to the lands belonging to the heirs of the joint family ; that the law is plain as will be seen by reference to page 375 of the 19th Volume of Madras High Court Reports and also Section 414 of Mayne on Hindu Law (5th Edition)

Petr prays for removal of the 4th Court's order on the above grounds -

7/9/97

COURT FEE

EIGHT ANNAS

COURT FEE

EIGHT ANNAS

COURT FEE

EIGHT ANNAS

ಅಂಗಡಿ ಮಾಲೀಕರು ಮತ್ತು ಕಾರ್ಮಿಕರ ಸಂಬಂಧಗಳು ಸೌಹಾರ್ದಯುತವಾಗಿರಬೇಕು.

ಅಂಗಡಿಯ ಮಾಲೀಕರು ಕಾರ್ಮಿಕರಿಗೆ ಸಮಯಕ್ಕೆ ಸರಿಯಾಗಿ ಸಂಬಳ ನೀಡ

Reference 27-10-97

Rec'd 31/10/97

68 Jamabandi appl.

Dist?

14/4/98

5/4/98 Bibli MS

See Udvanpet No 68/

L. 54-97-2

1897

2.

Name of Petitioner Kantam Subba Reddi

Village Gundlahalli

Sub-Taluk Gudibande

District Kolar

Date of Arzi

Date of Receipt 17-12-97

Date of Disposal

No. of Enclosure (Three only) 3

ABSTRACT

With reference to Govt: Endorsement c/o: 68 dated 14-11-97, the petitioner begs to state that the Sub-Div. officers order referred to in the Endorsement was filed along with his appeal petition to the Dy Commr: and was not returned till the time to file the appeal was over - that this petition praying for the copy of the deputy Commrs: order was presented on 18-5-98 but that the copy was not

on 17-8-97 and consequently there was no delay on his part that his appeal petition & form: id within the time if calculated from the date on which he received the copy of the Ry Comm's order dtd 17-8-97.

Prays that ~~the records~~ his appeal may be ~~send for~~ accepted and orders passed ~~on forwarding the same~~

28/12/97

IV-1579

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
RECD. No 1579 R
DATE 17-12-97

1898

No. 49. A. H. C. 11 98-99.

Name of Petitioner Koolam Sooda Gowda

Village Jandakatte

Taluk Sedivanga

District Kolar

Date of Arzi 3-7-98

Date of Receipt 8-7-98

Date of Disposal

No. of Enclosure 1

3

ABSTRACT

Writ petition & Enclosure No. 689 praying Court to obtain and produce copies of orders passed by the Asst. Revenue Officer Nidigallu in the proceedings of certain land at Kanjarakatte and Kadirenapalli in Kanjarakatte Village. Copies of the said orders called for.

Respondents objected on the ground that the matter pertains to the jurisdiction of the Revenue Authorities & Kanjarakatte Sedivanga Sub Taluk for the year Fasli 1895-96.

The objection petition is as follows:

The petitioner's lands (described in the petition) are situated in Kanjarakatte Village, Sedivanga Sub Taluk, Kolar District. The petitioner has not filed any appeal against the orders passed by the Asst. Revenue Officer, Nidigallu, in the proceedings relating to the lands in question. The petitioner has not exhausted the remedies available to him under the Revenue Law. The petition is therefore premature and should be dismissed.

The petitioner has filed a reply to the objection petition as follows:

The petitioner has filed the petition in time. The Asst. Revenue Officer, Nidigallu, has not passed any orders in the proceedings relating to the lands in question. The petitioner has not filed any appeal against the orders passed by the Asst. Revenue Officer, Nidigallu, in the proceedings relating to the lands in question. The petitioner has not exhausted the remedies available to him under the Revenue Law. The petition is therefore premature and should be dismissed.

The petitioner has filed a reply to the objection petition as follows:

The petitioner has filed the petition in time. The Asst. Revenue Officer, Nidigallu, has not passed any orders in the proceedings relating to the lands in question. The petitioner has not filed any appeal against the orders passed by the Asst. Revenue Officer, Nidigallu, in the proceedings relating to the lands in question. The petitioner has not exhausted the remedies available to him under the Revenue Law. The petition is therefore premature and should be dismissed.

49

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NO. 49 R
DATE 8-7-98

8.7.98

Pet 228-Pr

12-9-98

98-99 LR 64-97-8

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

4

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition 3

Registered No. 3 dated 9 received at the Dewan's Office from the margin

Gudiga of Gundahalli in the Gudibanda Taluk appealing against the order of the Deputy Commissioner, Kolar dt. declining to register certain sales of Hampasandra and Narayanahalli villages in the name of the petitioners as the sales were forwarded, together with its three enclosures, to the Deputy Commissioner of the Kolar District for submission of the entire proceedings connected with the case.

2. The petitions with its enclosures should be returned

2 Petns Nos 1 & 3 dated 1.9.98 received on 17.12.98.

2 do Nos 4 & 5 dated 3.9.98

3.9.98

By order,

for Chief Secretary

BANGALORE,

12/9/1898

M.G.C.P.B.—25-4-95—1,000.

Ludra
AK 3/11/98

Pendings
Ans 2/11/98

LR 64-276

GEN. No. 2772
REGD. No. 180
OFFICE

Gen. 31.] 1896-

From The Revenue Commissioner
for Coorg Division.

5

The Secretary to the
Government of Mysore.
Revenue & General Depts.

Dated 19.10.98.

Despatched 21-10-98

Received

General No. 1646 of 1898-99

No. 437

Enclosure No. Office Copy papers

Submitting the Vernacular proceedings in connection with the appeal petition of Dodda Andiga of Guddahalli re the registry of certain lands in the Gudibanda Taluk —

Rec'd
22.10.98

Rec'd
1/11.

Reference put up

AK
3/11/98

No 1615 Revenue
47 days

Kolar Deputy Commissioner's Office.
Dated 12th October 98.
245

To

The Secretary to the Government
of Mysore
Revenue and General Departments.

Sir,

With reference to your official Memorandum Regl dated 12th September 1898 Calling for the entire proceedings connected with appeal petition 223 from Doda Anjiga of Gundlahalli in the Gudibanda Tale Taluk regarding the registry of certain lands of Kanthandra and Anjinarayanahalli Villages, I have the honor to submit herewith as per accompanying Index, the Vernacular proceedings in connection with the above —.

2 The three petitions and their three enclosures received with the above are also herein enclosed —.

I have the honor to be,
Sir,
Your most obedient Servant
H H Cuthbert
Deputy Commissioner
Kolar

Index

dR 64-77 (7)

2 Pgs

Proc. of the Court of Enquiry

Appellant
Jadda Adiga

Respondent
Nanjakka

Read:-

Petition of appeal No 689 dt 11 Jan
preferred by Jadda Adiga
of Gundlahalli village in
the Gudibanda Sub Taluk
against the order of the Dy
Commr Kolar dt: rejecting
his appeal against the order
of the Sub Asst Commr transferring
the registry of S. Nos 15 &
135 of Adinarayanahalli
and Kempasandra villages
in the Gudibanda Sub-Taluk
from the name of Adiga
deceased to that of the respdt
who is the adopted
son of the deceased

2. The records of the case
received with the Kolar
Deputy Commrs letter No
1646/437 dt 19-10-98, from which
it appears that the paternal
grandfathers of the appt
and the deceased Khatedar

Draft for Appt
Ent'd & Sent Committee
dt 10/7/88.

11726
dt
15-7-89

11-7-89
10-7-89

Kolar Asst Supdt 8/7/88

Kolar 14/7/89

were brothers while the respondent's husband (Rahim) and the deceased Khalid were descended from the same paternal grandfather.

Order No. 523 / C.R.3-99 dated 18.7.99 / 19

The respondent Najatta was found by both the Lower Courts, to be nearer heir to the deceased Raja, and the Khata of the lands in question have been properly transferred to her name. Appellant has no preferential right and his appeal is accordingly rejected.

Sd/- Secretary

To

The Deputy Commissioner Kolar

Note in the records

ಪ್ರತಿ: ಸಹಾಯಕ ಕಮೀಷನರ್ ಕೋಲಾರ ರವರಿಗೆ
ಇವರ ನಡವಳಿಕೆಗಳಲ್ಲಿ ಟಿಪ್ಪಣಿ ಮಾಡಿಕೊಳ್ಳಲು.

19/7/99 (ಸಹಿ)

LR 64-97-8

ಸಂಖ್ಯೆ ಕಂಇಪ-1579 ಬೆಂಗಳೂರು ದಿನಾಂಕ 19-7-99

ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು

ಕಂದಾಯ ಇಲಾಖೆ - ಸಾರ್ವಜನಿಕ

ಉದ್ಯಾನವನಗಳ ಮೇಲೆ ಅನಧಿಕೃತ

ಒತ್ತುವರಿ ತೆರವುಗೊಳಿಸುವ ಬಗ್ಗೆ -

ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ ಕಂದಾಇ 15 ಸಾಮಾ 1997 ದಿನಾಂಕ 15-5-1997

ಮತ್ತು ಸಂಖ್ಯೆ ಕಂಇಪ 1579 ದಿನಾಂಕ 19-7-99

ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಯ ಸಭೆಯಲ್ಲಿ ಸರ್ವ ಸದಸ್ಯರ ಸಮ್ಮುಖದಲ್ಲಿ ಈ ನಿರ್ಣಯವನ್ನು ಅಂಗೀಕರಿಸಲಾಯಿತು. ಈ ನಿರ್ಣಯವನ್ನು ಸಂಸ್ಥೆಯ ಸಭೆಯಲ್ಲಿ ಅಂಗೀಕರಿಸಲಾಗಿದೆ ಎಂದು ಸಂಸ್ಥೆಯ ಕಾರ್ಯದರ್ಶಿಗಳು ಪ್ರಮಾಣೀಕರಿಸಬೇಕು. ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಕಾರ್ಯದರ್ಶಿಗಳು ಈ ನಿರ್ಣಯಕ್ಕೆ ಸಹಿ ಮಾಡಬೇಕು.

ಈ ನಿರ್ಣಯವನ್ನು ಸಂಸ್ಥೆಯ ಸಭೆಯಲ್ಲಿ ಅಂಗೀಕರಿಸಿದ ನಂತರ ಸಂಸ್ಥೆಯ ಕಾರ್ಯದರ್ಶಿಗಳು ಸಂಸ್ಥೆಯ ಮುದ್ರೆಯನ್ನು ಹಾಕಿ ಸಹಿ ಮಾಡಬೇಕು. ಅಧ್ಯಕ್ಷರು ಸಹಿ ಮಾಡಬೇಕು.

ದಿನಾಂಕ 15-7-99

ಕಾರ್ಯದರ್ಶಿ

ಅಧ್ಯಕ್ಷರು

ಮೇಲಿನ ನಿರ್ಣಯವನ್ನು ಸಂಸ್ಥೆಯ ಸಭೆಯಲ್ಲಿ ಅಂಗೀಕರಿಸಲಾಗಿದೆ ಎಂದು ಸಂಸ್ಥೆಯ ಕಾರ್ಯದರ್ಶಿಗಳು ಪ್ರಮಾಣೀಕರಿಸಿದ್ದಾರೆ.

ದಿನಾಂಕ 15-7-99 ಸಹಿ.

ಕಾರ್ಯದರ್ಶಿ.